

REGULAR MEETING of the Burrillville Town Council held Wednesday, October 9, 2013 at 7:00 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson

MEMBERS ABSENT: Councilor Wallace F. Lees

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED that the question of accepting the minutes of the regular meeting held September 25, 2013 be continued to a future meeting.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

Councilor Edward J. Blanchard commented on National Fire Prevention week, noting that kitchen safety is the 2013 theme.

Councilor Edward J. Blanchard commented on the favorable reception of the stop sign in place of a yield sign at the intersection of East Avenue and Harrisville Main Street.

Councilor Edward J. Blanchard announced a Home Alone Safety Class scheduled for November 9, 2013, sponsored by Burrillville Parks & Recreation Department and the Jesse Smith Library.

Councilor David J. Place announced that the Downtown Pascoag Neighborhood Association will be sponsoring Pumpkin Night October 18, 2013.

Councilor David J. Place announced a Support Our Troops golf tournament at Crystal Lake on October 19, 2013.

Councilor Kimberly Brissette Brown announced Halloween happenings at the library, including Spooky Tales October 25, 6:00 pm, Halloween drop-in crafts on October 28, 29 and 30 and Trick or Treat at the Library on Halloween.

Councilor Kimberly Brissette Brown announced Jesse M. Smith Memorial Library programs, including a vendor's fair on October 19,

2013 and the on-going Literacy Tails program.

Michael C. Wood, Town Manager, congratulated the Farmer's Market organizers on another successful season and thanked those who participated in Celebrate Burrillville Day. Council President Nancy F. Binns thanked Deputy Treasurer Rose Doughty and RE:Discover owner Beth Nydam for their work on Celebrate Burrillville events.

Council President Nancy F. Binns announced Pascoag Public Library programs, including a book and bake sale on October 19th, a Rise Up Paranormal presentation on October 21st, and Halloween craft and story events.

5. Petitions:

13-218 VOTED to grant the petition for Verizon New England Inc. and Pascoag Utility District to relocate and replace one new joint pole and place a sidewalk anchor guy location on West Road.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

6. Special Business:

13-219 VOTED to open the proclamation commending Colonel Bernard E. Gannon on his retirement as Burrillville Chief of Police.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

VOTED to adopt.

Motion by Councilor John F. Pacheco III. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

7. Public Hearing:

13-220 Relative to proposed amendments to the Revised General Ordinances of the Town of Burrillville, Chapter 16.5 entitled Parks & Recreation, Division 2. Extended Care Division.

NOTES: Notice of the public hearing was duly advertised in the legal section of the Woonsocket Call on October 7, 2013.

A. Comments/Input/Recommendations by the Administration

Michael C. Wood, Town Manager, commented that the proposed changes mirrored the division 2012 reorganization and made other minor administrative changes.

B. Comments/Input/Recommendations by the Ordinance Subcommittee

Council President Nancy F. Binns indicated that the Ordinance Subcommittee agreed with Mr. Wood's assessment and supported adoption of the changes.

C. The hearing of all interested parties in regard to proposed amendments. Note: Persons who wish to address the Town Council shall state their names and addresses.

Proponents: None

Opponents: None

D. VOTED to close the public hearing

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

E. Town Council Members Comments/Input/Deliberation: None

F. VOTED to adopt amendments to the Revised General Ordinances, Town of Burrillville, RI, 2004, by repealing Chapter 16.5, Division 2. Extended Care Division in its entirety and replacing it with Chapter 2, Administration, Article IV, Boards, Commissions and Committees, Sec 2-75 – Burrillville Extended Care, as follows:

The Town Council of the Town of Burrillville hereby ordains as follows:

The Revised General Ordinances, Town of Burrillville, RI, 2004, Chapter 16.5 entitled Parks & Recreation, Division 2. Extended Care Division, is hereby repealed and the following adopted:

Chapter 2, Administration, Article IV, Boards, Commissions and Committees

Sec 2-75 – Burrillville Extended Care

(a) Purpose.

The purpose of the Burrillville Extended Care is to provide a secure environment for Burrillville children enrolled in Grades K—7 for periods prior to the commencement of the school day and for a period after classes and during school vacation/summer recess.

(b) Establishment of Burrillville Extended Care.

There is hereby established Burrillville Extended Care (BEC). The operating of the Burrillville Extended Care shall be under the overall direction and control of the BEC director reporting to the town manager or designee.

(c) Organization.

The further organization of the BEC shall be as directed by the town manager and approved by the town council.

(d) Extended care board.

To assist the BEC director in establishing programs, policies and procedures concerning the operation of the extended care division, there is hereby established an Burrillville Extended Care Board of Directors (board).

(1) The board shall consist of five (5) members, all of whom shall be residents of the Town of Burrillville. The town council may appoint an alternate member for a term of one (1) year.

(2) Members of the board shall be appointed by the town council for three (3) year terms.

(3) Any member of the board who fails to attend three (3) consecutive meetings without being excused by a vote of the board shall forfeit his/her office.

(4) The town council shall appoint a member of the council and a member of the school committee as ex-officio members.

(e) Bylaws.

The board shall adopt bylaws in accordance with section 16.5-56 for the Burrillville town council's ratification. Any subsequent change in the bylaws shall become effective upon ratification by the town council.

(f) Duties of BEC board.

The board shall, in conjunction with the BEC director establish bylaws, rules and procedures governing the extended care division. These bylaws, rules and procedures shall address the following:

(1) The scope of services to be provided for enrollees in the program.

(2) Policies, rules, regulations and guidelines for operating the programs and for the personnel associated with the programs, in accordance with the Town's general ordinances and policies.

(3) The process to establish an annual budget for each fiscal year that includes projected revenue(s), income and expenses. The revenue raised must be at least equal to the projected expenses of the program. The program must be self-sustaining.

(4) All rules and procedures shall be published and a copy furnished to the town clerk.

In the event that the board and BEC director cannot agree in areas where they are empowered to work in conjunction with each other, the BEC director shall be responsible to make the decisions and to proceed as required by the Town Charter, general ordinances and policies.

(g) Budget.

The BEC director, in conjunction with the board, shall submit an operating and capital budget detailing proposed expenditures and anticipated revenues. A general description and summary of the programs to be funded shall be included in the submission(s). These budget submissions shall follow the process set forth in the Town Charter and relevant local legislation.

(h) Funding.

(1) All BEC programs shall be self-sustaining. BEC shall not enter into any contracts, make obligations or establish any positions unless the BEC director determines that there is adequate funding to support the contract, obligation or position. Such determination may be overruled by the town manager or finance director.

(2) The board in conjunction with the BEC director shall establish charges sufficient to cover all costs of BEC. All revenue, fees paid or donations received by BEC for services shall be used to support BEC programs.

(3) The BEC may apply for and receive grants to support its programs.

(4) All funds received from fees, charges, donations, grants or town appropriations shall be deposited into a special revolving account managed by the town treasurer. Expenditures shall be made from that account except as specified herein. Any funds not expended during the fiscal year shall remain in the account and be available to the BEC unless otherwise determined by the town council.

(5) Indirect costs to be reimbursed to the town shall be determined by

the finance director and shall be approved by the town manager prior to assessment. The town will be reimbursed from the department's receipts as determined by the town manager after consultation with the BEC director.

(6) The town treasurer shall establish, with the advice of the town's auditors, procedures governing the receipt and expenditures of funds.

(i) Audit.

BEC shall be subject to audit as determined by the finance director or town manager.

(j) Annual report.

BEC shall render an annual report to the town council; a copy of the report shall be filed with the town clerk. The report will be filed on or before December 31st of each fiscal year for the preceding fiscal year. The annual report shall include audited financial information for the preceding fiscal year.

(k) Sunset provision.

In the event that the programs provided for by BEC operating under an adopted budget are determined by the town manager not to be self supporting, then this BEC shall cease operation as of June 30 of that fiscal year, unless determined otherwise by the town council. All BEC employees shall be terminated, programs ended, obligations and contracts terminated.

This ordinance shall be effective upon passage.

Adopted this 9th day of October 2013

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

G. VOTED to adjourn the public hearing

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

8. Unfinished Business:

13-210 Relative to Burrillville School Facilities:

A. VOTED to open the correspondence from Dr. Frank Pallotta, Burrillville Superintendent of Schools, regarding consideration and action on:

- Allocation of funds for the Burrillville High School roofs A and B;**

and

- **School Department's request that the Town Council appropriate an amount not to exceed \$130,000 to conduct a feasibility study, based on the School Building Committee's recommendations; and**
- **Consideration and possible approval of the letter of intent to request school housing aid funds; and**
- **request that the Town Council appoint a community member to serve on the School Construction Building Committee**

B. Correspondence from Michael C. Wood, Town Manager, relative to options for funding the School Capital Five (5) Year Plan.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

VOTED to move the recommended amount, not to exceed \$130,000, in option D, to be moved from the School surplus account to the major capital account.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns

and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

VOTED to approve the amount in option D noted as the total capital requirements for 2014.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor Kimberly Brissette Brown. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

VOTED to endorse option D, as amended, for the purposes of the RIDE application 5-Year Plan, as follows:

RIDE - School 5 Year Capital Infrastructure Funding Plan - \$5,249,669
Immediate Needs - per School Administration
Feasibility Study \$130,000
High School Roofs A & B \$1,395,350
 A \$785,620
 B \$609,730
Total: \$1,525,350

Funding Sources

5	Year	Plan All	Building	Projects Roofs Total	Capital
---	------	----------	----------	----------------------	---------

	Requirements Major	Capital Debt	Service CIP	Transfers School	School Surplus Account
2014	\$130,000	\$130,000	\$130,000		
2014	\$151,276	\$1,395,350	\$1,546,626	\$1,546,626	
2015	\$469,729	\$462,141	\$931,870	\$462,141	\$400,000 \$69,729
2016	\$266,651	\$266,651	\$266,651		
2017	\$56,521	\$1,245,316	\$1,301,837	\$1,245,316	\$56,521
2018	\$185,260	\$887,425	\$1,072,685	\$887,425	\$185,260
	\$1,259,437	\$3,990,232	\$5,249,669		

\$1,525,350 in 2014 includes immediate needs of \$130,000 (feasibility study) and \$1,395,000 (roofs A and B).

Note: \$151,276 listed in 2014 appears to be CIP requests that go beyond the approved CIP budget for the schools (FY2014).

Debt Service for the roof projects in FY2015, FY2017 and FY2018 can be presented to the voters in the November 2014 or 2016 election (\$2,594,882).

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

VOTED to endorse the letter of intent written by the School Department to Rhode Island Department of Education.

Motion by Councilor Stephen N. Rawson. Seconded by Councilor John F. Pacheco III. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

9. New Business:

13-221 VOTED to adopt an infrastructure plan as it relates to funding under the Municipal Road and Bridge Revolving Fund Act of 2013 to be submitted by application to RIDOT.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

13-222 VOTED to open the correspondence from Thomas J. Kravitz, Town Planner and Coordinator of Economic Development, regarding bike path future phases.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor

Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

Discussion: Thomas J. Kravitz, Town Planner and Coordinator of Economic Development, reviewed possible bike path future phases. A copy of the document is on file with the record of the meeting.

VOTED to support the concept of increasing and enlarging the bike path.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor John F. Pacheco III. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

13-223 VOTED to open the correspondence from Councilor David J. Place regarding his request for a Town Council resolution petitioning the state for the removal of No Parking signs posted along Route 102.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members

present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

Discussion: Councilor David J. Place recognized resident Jeannine Hood, who had raised a concern over excessive signage at the gateway along Route 102.

VOTED to adopt a resolution petitioning the State for the removal of “No Parking” and “State Property” signs.

Motion by Councilor Edward J. Blanchard. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

13-224 VOTED to refer the applications from Dorothy E. Karolyshyn and Kenneth Milligan to the Screening Subcommittee.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor

Wallace F. Lees was excused.

13-225 VOTED that traffic control for the intersection of Grove and North Main Streets, Pascoag, be referred to the Ordinance Subcommittee for recommendation.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

10. Town Clerk/Communication:

13-226 VOTED to receive and file the correspondence from Peter Kilmartin, Rhode Island Attorney General and Richard Godfrey, Executive Director of Rhode Island Housing regarding amendments to RIGL chapter 34-27, Mortgage Foreclosure and Sale, adopted in 2013.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor

Wallace F. Lees was excused.

11. Additional Unfinished Business:

13-227 VOTED to grant the request for executive session from Town Manager Michael C. Wood pursuant to Rhode Island Open Meeting Law [§42-46-5 (a)(2)] relative to potential litigation relative to TransCanada

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

There was a recess before executive session.

The Town Council returned to open session at 8:43 P.M.

VOTED to seal the minutes of executive session noting that no votes had been taken.

Motion by Councilor David J. Place. Seconded by Councilor Stephen N. Rawson. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns

and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

VOTED to adjourn at 8:43 P.M.

Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard.

Discussion: Council President Nancy F. Binns commented that the Stillwater Mill project had received the Blackstone Valley Tourism Council “2013 Footprints in History” award.

The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Kimberly Brissette Brown, John F. Pacheco III, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.

The meeting was recorded.

Louise R. Phaneuf, Town Clerk